



2159  
#2  
BT

1022-02

Docket No. 22506-0701

**Certificate of Mailing/Transmission (37 C.F.R. § 1.8(a)):**

[ X ] Pursuant to 37 C.F.R. § 1.8, I hereby certify that this paper and all enclosures are being deposited with the United States Postal Service as first class mail on the date indicated below in an envelope addressed to the Assistant Commissioner for Patents, Washington D.C. 20231.

Dated: 10-15-02

Name of Person Certifying: Pam Golden  
Printed Name: Pam Golden

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Christina Woody Mercier, et al. Assignee:  
Filing Date: June 28, 2001 Examiner: Unknown  
Serial No.: 09/896,408 Group Art Unit: 2152  
Title: **AUTOMATED CREATION OF APPLICATION DATA PATHS IN  
STORAGE AREA NETWORKS**

Commissioner for Patents  
Washington, D.C. 20231

**RECEIVED**

OCT 23 2002

**INFORMATION DISCLOSURE STATEMENT** *Technology Center 2100*

Sir:

In accordance with 37 C.F.R. § 1.56, the references listed on the attached Form PTO-1449 are being brought to the attention of the Examiner for consideration in connection with the examination of the above-identified patent application.

**I. Timing of the Information Disclosure Statement:**

This Information Disclosure Statement is filed:

- ☐ With the new patent application submitted herewith (37 C.F.R. § 1.97(a)).
- ☐ Within three months after the filing date of the application or within three months after the date of entry of the national stage of a PCT application as set forth in 37 C.F.R. § 1.491.
- ☒ Before the mailing date of a first Office action on the merits. In the event, however, that an Office Action on the merits has crossed in the mail with this Information Disclosure Statement, no fee will be due if the certification below is checked. Otherwise, the Commissioner is hereby authorized to charge Deposit Account No. 50-1193 for the fee (\$180) set forth in 37 C.F.R. § 1.17(p) and any additional required fees.

This Information Disclosure Statement is filed:

- ☐ After the first Office Action and more than three months after the application's filing date; or PCT national stage date of entry filing but, as far as is known to the undersigned, prior to the mailing date of either a final rejection or a notice of allowance, whichever occurs first, and the Commissioner is hereby authorized to charge Deposit Account No. [ ] for the fee (\$180) set forth in 37 C.F.R. § 1.17(p) and any additional required fees.

This Information Disclosure Statement is filed:

- ☐ After the mailing date of either a final rejection or a notice of allowance, whichever occurred first, and is accompanied by the fee (\$180.00) set forth in 37 C.F.R. § 1.17(i)(1) and a certification as specified in 37 C.F.R. § 1.97(e), as checked below. This document is to be considered as a petition requesting consideration of the Information Disclosure Statement.

The undersigned certifies that:

- ☒ Each item of information contained in the Information Disclosure Statement was cited in a communication mailed from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement.
- ☐ No item of information contained in this information disclosure statement was cited in a communication mailed from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

## II. Copies of the Cited Items:

- ☒ Copies of all of the items listed on the attached Form PTO-1449 are enclosed.
- ☐ Copies of only the following items listed on the attached Form PTO-1449 are enclosed: \_\_\_\_\_.
- ☐ Copies of those items which are marked with an asterisk (\*) in the attached Form PTO-1499 are not supplied because they were previously cited by or submitted to the Patent Office in a prior Application No. \_\_\_\_\_, filed \_\_\_\_\_ and relied upon in this application for an earlier filing date under 35 U.S.C § 120. See 37 C.F.R. § 1.98(d).

- ☐ Copies of those items which are marked with an asterisk (\*\*) in the attached Form PTO-1499 were cited in a foreign examination report in a related case. A copy of the search report and the cited references not already of record in this application are attached hereto.

**III. Concise Explanation of Relevance:**

- ☐ A concise explanation of relevance of the items listed on Form PTO-1449 is not given.
- ☒ A concise explanation of relevance of the items listed on Form PTO-1449 is in the form of an English language copy of a Search Report from a foreign patent office, issued in a counterpart application, which refers to the relevant portions of the references (copy attached).

**IV. Conclusion:**

Citation of the above documents shall not be construed as:

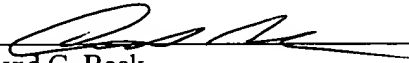
1. an admission that the documents are necessarily prior art with respect to the instant invention;
2. a representation that a search has been made, other than as described above; or
3. an admission that the information cited herein is, or is considered to be, material to patentability as defined in § 1.56(b).

It is respectfully requested that the Examiner indicate consideration of the cited references by returning a copy of the attached form PTO 1449 with initials or other appropriate marks.

The Commissioner is hereby authorized to charge Deposit Account No. 50-1193 Docket No. 22506-0701 for any additional fees required in connection with the filing of this Information Disclosure Statement.

DATE: 10/14/02

Respectfully submitted,

By:   
David G. Beck  
Registration No.: 37,776

Bingham McCutchen, LLP  
Three Embarcadero Center  
San Francisco, California 94111  
Telephone: (415) 393-2000  
Telefax: (415) 393-2286



FORM PTO-1449 (Modified [6-1])  <b>LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT(S)' INFORMATION DISCLOSURE STATEMENT</b>  (Use several sheets if necessary)	<b>ATTY. DOCKET NO.:</b> 22506-0701	<b>SERIAL NO.:</b> 09/896,408
	<b>INVENTOR(s):</b> Christina Woody Mercier, et al.	
	<b>FILING DATE:</b> June 28, 2001	<b>GROUP ART UNIT:</b> 2152

REFERENCE DESIGNATION		U.S. PATENT DOCUMENTS					
EXAM'R INITIAL		DOCUMENT NUMBER	DATE	NAME	Class	Subclass	Filing Date If Appropriate
	A1	09/779,844	02/09/01	Iwatani	709	223	
	A2	10/028,010	12/21/01	Soltis	709	200	
	A3	09/885,290	06/19/01	Markson, et al.	709	223	
	A4	09/783,414	02/14/01	Karamanolis, et al.	709	217	
	A5	6,389,432	05/14/02	Pothapragada, et al.	707	205	04/05/99

FOREIGN PATENT DOCUMENTS								
EXAM'R INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	Subclass	TRANSLAT'N	
							yes	no
	B1							
	B2							
	B3							
	B4							
	B5							

RECEIVED  
OCT 23 2002

OTHER ART (Include Author, Title, Date, Pertinent Pages, etc.)	
C1	Technology Center 2100
C2	
C3	
C4	
C5	
C6	
C7	
C8	
C9	
C10	
C11	

<b>EXAMINER</b>	<b>DATE CONSIDERED</b>
<b>EXAMINER:</b> Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant(s).	